

REMARKS

Claims 1 and 3-5 remain pending after amendment.

Claim Amendments

By this amendment, claim 2 is cancelled, and the limitations thereof added to claim 1. Claim 5 is amended to recite limitations described at least at Figure 1. No new matter is added by this amendment.

Rejection under 35 USC 102(b)

Claims 1-3 stand rejected under 35 USC 102(b) as being anticipated by Tetzner. This rejection respectfully is traversed to the extent deemed to apply to the claims as amended.

Tetzner is directed to a wrapping apparatus comprised of a carriage having a wheeled base, with the carriage being provided with an upright upstanding from the base and vertically movably supporting a carrier for a roll of wrapping sheet material.

Applicant's wrapping machine differs from the device of Tetzner in two main aspects – first, in applicant's machine the axis of the roll of flexible material is located on the longitudinal axis of the central post 12. In Tetzner's device, the axis of the roll is offset from the longitudinal axis of the central post 19. Secondly, the pulley of applicant's winch is disposed on top of the central post whereas Tetzner's pulley is offset from the post.

Applicant's machine is more stable than Tetzner's because of the location of applicant's roll of flexible material. Applicant's roll is located squarely over the base. Tetzner's device is not, and his machine may accordingly be overbalanced by the roll, particularly if it is heavy, and it may topple over. If Tetzner's base is enlarged, and weight is added thereto, this problem is somewhat alleviated, but the machine will be harder to handle both because of the increased weight and because of the increased size or "footprint" of the base which may not fit into confined spaces.

A second advantage of applicant's machine over that of Tetzner is that the wrapping material can be more easily applied using applicant's machine. The reason for this is that where applicant's central post goes, so too will the roll of wrapping material. By contrast, where Tetzner's central post goes is not necessarily where the roll of wrapping material goes because of the offset of the roll from the axis of the central post. In confined spaces, the operator may find it difficult to wrap an object properly because of the difficulty in steering Tetzner's machine in a way that will accomplish this objective.

The location of applicant's winch is more advantageous than that of Tetzner. Tetzner locates his winch on the side of the central post opposite the roll and runs the cable which joins the winch to the roll support 25 through a pair of sheaves 56 at the top of the post. Should the sheaves stick or should the cable separate from the sheaves, the winch may become inoperable and time will be wasted in correcting the problem. Applicants' winch, by contrast, is located directly over the roll support and no sheaves

are needed to change its direction. Applicant's winch is significantly simpler in construction, and is accordingly less likely to malfunction.

In order to more clearly define over the cited reference, claim 1 is amended to recite that the roll of flexible material is disposed around and surrounds the post, and that the roll of flexible material is adapted to be seated upon the bed and to surround and to revolve around both the tube and the post.

In view of such amendments, the rejection under 35 USC 102(b) is without basis and should be withdrawn. .

Rejection under 35 USC 103(a)

Claims 4-5 stand rejected under 35 USC 103(a) as being unpatentable over Tetzner. This rejection respectfully is traversed.

The deficiencies of Tetzner are discussed at length above, and that discussion is again incorporated by reference herein. Suffice it to say that neither the invention of claim 1, nor the invention of claims 4-5, is disclosed or suggested by the cited reference.


The rejection should accordingly be withdrawn.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$60.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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